1 ROBERT L. SHEPARD (#197240) The Law Office of Robert Shepard 760 Market Street, Suite #706 San Francisco, California 94102-2307 3 (415) 951-8234 Voice (415) 951-8233 Fax 4 sheplaw@yahoo.com 5 Attorney for Plaintiff Dr. Anna Vertkin 6 7 UNITED STATES DISTRICT COURT 8 NORTHERN DISTRICT OF CALIFORNIA 9 10 11 Dr. Anna Vertkin. Case No.: C 07 4471 12 Plaintiff, PLAINTIFF DR. ANNA VERTKIN'S OPPOSITION TO DEFENDANT MICHAEL VERTKIN'S REQUEST FOR 13 VS. ENTRY OF DEFAULT; PROPOSED 14 Michael Vertkin, and Does 1-20, **ORDER** 15 Date Action Filed: August 29, 2007 Defendants 16 17 TO ALL PARTIES, THEIR ATTORNEYS OF RECORD AND THE COURT: 18 Plaintiff Dr. Anna Vertkin opposes Defendant Michael Vertkin's Request for Entry of 19 Default on the following two grounds: 20 First, Judge Conti made it clear in the first Case Management Conference that was held 21 22 on 12/7/2007 that the case would not proceed until more detailed information could be 23 ascertained regarding the pending dissolution of marriage between the parties, which was to 24 occur at the next Case Management Conference scheduled for April 25, 2008. If would therefore

Second, Defendant Michael Vertkin's Cross Complaint was improperly plead and buried behind affirmative defenses of his answer, and not as a separate entry on the docket. While the

be improper to require plaintiff to file an Answer when the case is otherwise on hold.

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court will rightfully allow an in pro per party some procedural latitude, the court should not allow that in pro per party to take advantage of such. Furthermore, there was no professional courtesy is calling me to inform me of his intent to file his Request for Entry of Default, particularly when I extended him that courtesy when his time to file his Answer was approaching.

Respectfully, I request that Mr. Michael Vertkin's request be denied, and Anna Vertkin be allowed to file an Answer to the Cross Complaint.

Robert L. Shepard, Attorney for Plaintiff Dr. Anna Vertkin

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5	Attorney for Plaintiff Dr. Anna Vertkin				
6					
7	UNITED STATES DISTRICT COURT				
8	NORTHERN DISTRICT OF CALIFORNIA				
9	Dr. Anna Vertkin,) (Coso No. C 07 4471	8C	
	, in the second)	Case No. C 07 4471 SC		
11	Plaintiff,)	PROPOSED] ORD		
12	VS.)	Date Action Filed:	August 29, 2007	
13	Michael Vertkin, and Does 1 to 20, Defendants) [MOTION DATE: ΓΙΜΕ:	November 16, 2007 10:00 am 17 th Floor, Courtroom	
14) I) LOCATION:		
15					
16	The request of Defendant Michael Vertkin to Enter Default in case number C 07 4471 S				
17	is denied.				
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22	Dated:				
23	Dated:		Judge of the United	d States District	
24			Court of the Northern District of California		
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Plaintiff Dr. Anna Vertkin's Opposition to Defendant Michael Verkin's Request for Entry of Default - 3